

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 POLICY COMMITTEE  
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 1120

By: Lepak

7 POLICY COMMITTEE RECOMMENDATION

8 An Act relating to elections; prohibiting  
9 implementation of federal election guidance without  
10 legislative approval; providing for notice  
11 requirement; providing for method of notice;  
12 providing exception; defining term; requiring new  
13 federal funds be approved by the State Legislature;  
14 requiring publishing of funds possessed by the State  
15 Election Board; providing for codification; and  
16 providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 3-401 of Title 26, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. The Secretary of the State Election Board or the secretary  
22 of a county election board shall not implement any new official  
23 directive or guidance related to election administration or voter  
24 registration issued by a federal agency without prior approval of  
the State Legislature. Provided, if the Legislature is not in  
session when such a directive or guidance is received, it may be

1 implemented upon the written approval of the Speaker of the Oklahoma  
2 House of Representatives and the President Pro Tempore of the  
3 Oklahoma State Senate.

4 B. 1. The Secretary of the State Election Board, or the  
5 secretary of a county election board, or the director of any agency  
6 of this state, shall provide written notice to the Governor, the  
7 Speaker of the Oklahoma House of Representatives, the President Pro  
8 Tempore of the Oklahoma State Senate, and the Attorney General of  
9 the following:

10 a. any new official directive or guidance pertaining to  
11 the administration of elections or voter registration.  
12 This shall apply to new directives or guidance from  
13 the United States Department of Justice or any other  
14 federal executive agency that is provided directly to  
15 the Secretary of the State Election Board, or the  
16 secretary of a county election board, or the director  
17 of any agency of this state. The written notice shall  
18 be provided within ten (10) business days from the  
19 date it is received, and

20 b. if the Secretary of the State Election Board, or the  
21 secretary of a county election board, intends to  
22 implement any new federal election directive or  
23 guidance due to an order by a court of appropriate  
24 jurisdiction, the secretary shall provide written

1 notice to the Governor, the Speaker of the Oklahoma  
2 House of Representatives, the President Pro Tempore of  
3 the Oklahoma State Senate, and the Attorney General.  
4 Such notice shall include a description of the legal  
5 basis for the implementation.

6 2. Nothing in this subsection shall be construed to require the  
7 Secretary of the State Election Board or the secretary of a county  
8 election board to provide notice about threat or intelligence  
9 information that is marked classified, confidential, sensitive or  
10 otherwise restricted, or if providing such a notice would be a  
11 violation of federal or state law.

12 C. The Secretary of the State Election Board, or the secretary  
13 of a county election board, shall provide written notice to the  
14 Governor, the Speaker of the Oklahoma House of Representatives, the  
15 President Pro Tempore of the Oklahoma State Senate, and the Attorney  
16 General of any litigation filed against the State Election Board or  
17 a county election board, or of any official threat of litigation, by  
18 the United States Department of Justice or any other federal  
19 executive agency pertaining to state election laws duly enacted by  
20 the Legislature within ten (10) business days from the date a  
21 complaint is received.

22 SECTION 2. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 3-402 of Title 26, unless there  
24 is created a duplication in numbering, reads as follows:

1       A. 1. As used in this section, "new federal election funds"  
2 means any federal grant, appropriation by the United States  
3 Congress, or other federal funds that are eligible to be received by  
4 the Secretary of the State Election Board or the secretary of a  
5 county election board on or after the effective date of this act.

6       2. Provided, "new federal election funds" shall not mean  
7 funding or grants provided under the Help America Vote Act, other  
8 federal funding or grants are authorized to be accepted by state  
9 law, or any Cybersecurity or Physical Security subgrants provided by  
10 the Oklahoma Office of Homeland Security.

11       B. Except as provided in paragraph 2 of subsection A of this  
12 section, all new federal election funds must be approved by the  
13 State Legislature before they may be accepted or used by the  
14 Secretary of the State Election Board or the secretary of a county  
15 election board. Provided, if the Legislature is not in session when  
16 new federal election funds become available, new federal election  
17 funds may be accepted upon the written approval of the Speaker of  
18 the Oklahoma House of Representatives, the President Pro Tempore of  
19 the Oklahoma State Senate, the Chair of the Senate Appropriations  
20 Committee, and the Chair of the House of Representatives  
21 Appropriations and Budget Committee.

22       C. No later than January 15, 2026, and each year thereafter,  
23 the Secretary of the State Election Board shall publish on the State  
24 Election Board's website the balance of all federal funds possessed

1 by the State Election Board for the previous two (2) years and a  
2 description of the source of those funds. Provided, in the event  
3 that January 15 of any year falls on a weekend or an official state  
4 holiday, such information shall be published the next business day.

5 SECTION 3. This act shall become effective January 1, 2026.

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